

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS
WAS HELD AUGUST 19, 2002 AT 1:00 P.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Raymond Graham, Chairman, Cedar Run District; Ms. Sharon McCamy, Vice Chair, Lee District; Mr. Harry Atherton, Supervisor, Marshall District; Mr. Joe Winkelmann, Supervisor, Center District; Mr. Larry L. Weeks, Supervisor, Scott District; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

AGENDA REVIEW

The Board of Supervisors reviewed the Agenda.

SPACE ALLOCATION AT 320 HOSPITAL DRIVE

Tony Hooper, Assistant County Administrator, provided an update on the proposed allocation of space at the County office complex located at 320 Hospital Drive, specifically related to space needs of the Parks and Recreation Department and the Fauquier Free Clinic.

BOTHA AFFORDABLE HOUSING

Tony Hooper, Assistant County Administrator, provided a summary of the results of well water test results and findings by Water and Sanitation Authority (WSA) authorities and engineers at the Botha Village site, and proposed follow-up actions. Mr. Hooper introduced Barney Durrett and Earl Douple, representatives of WSA, to answer questions from Board members. Also present were representatives from Fauquier Habitat for Humanity and Fauquier Housing Corporation. Fay Fleming and Christina Kirby spoke in favor of the project. Karen Dorschner spoke in opposition to the project. Ms. McCamy stated she would be interested in bringing a future work session to the Board to discuss affordable housing within Fauquier County.

UPDATE REGARDING THE IMPLEMENTATION OF THE PUBLIC SAFETY RADIO SYSTEM

Tony Hooper, Assistant County Administrator, discussed progress on the public safety radio system, including license agreement, system design and technical review, and implementation timelines. Nelson Davis of Motorola and Ken Ballard of CTA were present to respond to questions from Board members.

MARKET SCALE ADJUSTMENTS FOR DEPUTY COUNTY ADMINISTRATOR AND ASSISTANT COUNTY ADMINISTRATOR AND DEPUTY COUNTY ATTORNEY AND ASSISTANT COUNTY ATTORNEYS

Chairman Graham began the discussion by stating that he had initiated a market study with the firm of Robinson, Farmer & Cox, for salary scales for the positions of Deputy and Assistant County Administrators, and Deputy and Assistant County Attorneys in comparable localities. The Board members held a roundtable discussion on this issue.

CLOSED MEETING REGARDING PROPERTY ACQUISITION

Mr. Weeks moved to go into a closed meeting pursuant to Virginia Code § 2.2-3711.A.3 and Virginia Code § 2.2-3711.A.7 for consultation with County personnel and the County Attorney relating to the proposed acquisition of real property for the Public Safety Radio System, not releasable to the public. Mr. Atherton seconded, and the vote for the motion was unanimous as follows:

Ayes: **Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks**
Nays: **None**
Absent During Vote: **None**
Abstention: **None**

Upon reconvening from the closed meeting, Mr. Weeks moved to adopt the following certification. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: **Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks**
Nays: **None**
Absent During Vote: **None**
Abstention: **None**

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 19th day of August 2002, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

CLOSED MEETING REGARDING PERSONNEL MATTERS

Mr. Winkelmann stated that a meeting regarding personnel matters was no longer necessary; therefore, the closed meeting on this issue was cancelled.

The meeting was reconvened in regular session at 6:30 p.m. in the Warren Green Building meeting room.

ADOPTION OF THE AGENDA

Ms. McCamy moved to adopt the Agenda, subject to the following amendments:

- Add a Proclamation to Exhort All Citizens to Engage in Voluntary Water Conservations Efforts; and
- Add a substitute resolution to Consent agenda item #e, A Resolution to Authorize Assistant Zoning Administrator Frederic Hodge to Act in the Absence of the Zoning Administrator for Fauquier County.

Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

PROCLAMATIONS AND RECOGNITIONS

- Ms. McCamy presented a Proclamation to Cub Scout Timothy Mack for heroism he demonstrated by rescuing a drowning friend on September 1, 2001.
- Mr. Graham presented a Proclamation in Remembrance of September 11, 2001.
- Mr. Graham presented a Proclamation to Exhort All Citizens to Engage in Voluntary Water Conservation Efforts.

CITIZENS' TIME

- Mr. George Tolis raised objections to construction of the 800 MHz Public Safety Radio System and related costs.

CONSENT AGENDA

Ms. McCamy moved to adopt the following Consent Agenda items. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

Approval of Minutes for June 17, 2002 Board of Supervisors Regular Meeting and July 15, 2002 Board of Supervisors Regular Meeting

A Resolution to Create a Career Ladder for Buyer Positions within the Department of Finance

RESOLUTION

A RESOLUTION TO CREATE A CAREER LADDER FOR BUYER POSITIONS WITHIN
THE DEPARTMENT OF FINANCE

WHEREAS, the Procurement Division of the Department of Finance has experienced substantial turnover in the Buyer series of position classifications; and

WHEREAS, the Department of Finance believes the turn-over among Buyers will be reduced by the provision of promotional opportunities; and

WHEREAS, the Department of Finance, Procurement Division, requests to implement a career ladder program that includes continuing authorization to promote employees from Buyer to Senior Buyer as they meet the following criteria:

1. Five years of experience in public procurement;
2. Professional certification such as CPPO (Certified Public Purchasing Officer), CPPB (Certified Professional Public Buyer), VCO (Virginia Contracting Officer) or VCC (Virginia Construction Contracting Officer);
3. Experience in a progressively complex level of procurement such as construction, architectural and engineering services, Request for Proposals, Invitation for Bids, negotiating contracts and/or administration of contract law; and
4. Recommendation of the supervisor and the approval of the director; now, therefore,
be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002,
That a career ladder program for Buyer positions be established within the Department of Finance, Division of Procurement.

A Resolution Authorizing the Vacant Position of Office Associate III to be Re-titled as Human Resources (HR) Technician

RESOLUTION

A RESOLUTION AUTHORIZING THE VACANT POSITION OF OFFICE ASSOCIATE III
TO BE RE-TITLED AS HUMAN RESOURCES (HR) TECHNICIAN

WHEREAS, a recent vacancy within the Department of Human Resources has provided an opportunity to assess the structure of the Department; and

WHEREAS, an assessment of the departmental structure revealed that the Office Associate III position performed duties that are indicative of the HR Technician position classification; and

WHEREAS, the positions of Office Associate III and HR Technician are both graded at a level 24; and

WHEREAS, a request has been made to re-title the vacant Office Associate III position to HR Technician; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the position of Office Associate III, grade 24, be re-titled to Human Resources Technician, grade 24.

A Resolution Authorizing a Part-Time Community Development Position

RESOLUTION

A RESOLUTION AUTHORIZING THE CREATION OF A PART-TIME, PERMANENT
EMPLOYMENT POSITION WITHIN THE DEPARTMENT OF COMMUNITY
DEVELOPMENT

WHEREAS, after a distinguished career of forty years, Carolyn Bowen has retired from the Fauquier County Department of Community Development; and

WHEREAS, Ms. Bowen's extensive tenure with the County has afforded her a wealth of institutional and operational knowledge with respect to the Department of Community Development; and

WHEREAS, the transference of this knowledge and completion of several vital projects is integral to the continued successful functioning of the Department; and

WHEREAS, due to the unique nature of this situation, a recommendation is made to afford Ms. Bowen the opportunity to continue to provide services to the County for a defined period of time; and

WHEREAS, this recommendation involves establishing and placing Ms. Bowen in a part-time, permanent, thirty (30) hour a week employment position; and

WHEREAS, this part-time, permanent employment position shall carry the rights and benefits afforded any other part-time, permanent position in the County Government; and

WHEREAS, this part-time, permanent employment position shall terminate on December 31, 2002, unless extended by the Board of Supervisors; and

WHEREAS, this part-time, permanent employment position shall convert to part-time, temporary status upon the position expiration date; and

WHEREAS, Ms. Bowen's compensation shall be equivalent to her pre-retirement hourly wage for a maximum of thirty (30) hours per week; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That a part-time, permanent, thirty (30) hour a week employment position be established within the Department of Community Development; and, be it

RESOLVED FURTHER, That this part-time, permanent position shall terminate on December 31, 2002, unless extended by the Board of Supervisors; and, be it

RESOLVED FURTHER, That this part-time, permanent position may be converted to part-time, temporary status upon termination; and, be it

RESOLVED FINALLY, That Carolyn Bowen shall fill this part-time, permanent position and be compensated at her pre-retirement hourly wage for a maximum of thirty (30) hours per week.

A Resolution to Authorize Assistant Zoning Administrator Frederic Hodge to Act in the Absence of the Zoning Administrator

RESOLUTION

A RESOLUTION TO AUTHORIZE ASSISTANT ZONING ADMINISTRATOR FREDERIC HODGE TO ACT IN THE ABSENCE OF THE ZONING ADMINISTRATOR

WHEREAS, the Fauquier County Board of Supervisors is the appointing authority for Zoning Administrators for the County of Fauquier; and

WHEREAS, the Board of Supervisors has established the position of Assistant Zoning Administrator; and

WHEREAS, Fredric Hodge currently occupies the position of Assistant Zoning Administrator; and

WHEREAS, the Board finds it necessary to authorize Frederic Hodge, Assistant Zoning Administrator, to act in the absence of the Zoning Administrator; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That Frederic Hodge, Assistant Zoning Administrator in the Fauquier County Department of Community Development, be, and is hereby, authorized to act, in the absence of the Zoning Administrator, as the Zoning Administrator for Fauquier County, effective immediately.

A Resolution to Increase Petty Cash Fund from \$1,500 to \$2,000

RESOLUTION

A RESOLUTION TO INCREASE PETTY CASH FUND FROM \$1,500 to \$2,000

WHEREAS, the current petty cash fund is \$1,500; and

WHEREAS, petty cash fund is divided between the Treasurer's office and the Finance Department; and

WHEREAS, the current amount of \$1,500 is not adequate to effectively serve the two locations; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the petty cash fund be increased from \$1,500 to \$2,000, divided as follows: \$1,500 for the Treasurer's Office and \$500 for the Finance Department.

Consider Preliminary Plat Subdivision Application, #PP02-CR-10, Shipe's Ridge Subdivision, Amos Lee and Jane Shipe, owners/applicants, Cedar Run Magisterial District

No action is necessary.

A Resolution Authorizing the County Administrator to File with the Governor of Virginia a Request that the County of Fauquier be Designated as a Drought Disaster Area

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO FILE WITH THE GOVERNOR OF VIRGINIA A REQUEST THAT THE COUNTY OF FAUQUIER BE DESIGNATED AS A DROUGHT DISASTER AREA

WHEREAS, the drought conditions in Fauquier County have severely affected farmers; and

WHEREAS, during the growing season of this year, Fauquier County received considerably less rain than normal, while experiencing unseasonably high temperatures; and

WHEREAS, the Fauquier County Food and Agriculture Council, made up of the Farm Service Agency, the Natural Resource Conservation Service, and Virginia Cooperative Extension, reports that approximately 100,000 acres of farmland have been adversely affected within Fauquier County, at an estimated loss of \$2.5 million; and

WHEREAS, it is incumbent upon the Fauquier County Board of Supervisors to authorize the County Administrator to file with the Governor of Virginia a request that Fauquier County be designated as a drought disaster area; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the County Administrator be, and is hereby, authorized to file with the Governor of Virginia a request that Fauquier County be designated as a drought disaster area.

A Resolution Authorizing the County Administrator to Schedule a Public Hearing to Receive Citizens' Comments on the Proposed Use of FY 2002 Local Law Enforcement Block Grant Funds

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO SCHEDULE A PUBLIC HEARING TO RECEIVE CITIZENS' COMMENTS ON PROPOSED USE OF LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG) FUNDS

WHEREAS, the federal government provides limited funding for law enforcement through the Block Grant Program; and

WHEREAS, a program requirement is to conduct a public hearing concerning the proposed use of these funds; and

WHEREAS, it is anticipated that Fauquier County will receive \$14,232 in LLEBG funds in this fiscal year; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the County Administrator be, and is hereby, authorized to schedule a public hearing for September 16, 2002, to receive citizens' comments on the proposed use of these funds.

A Resolution to Approve GIS Agreement Between Virginia Outdoors Foundation and the County of Fauquier

RESOLUTION

A RESOLUTION TO APPROVE GIS AGREEMENT BETWEEN VIRGINIA OUTDOORS FOUNDATION AND THE COUNTY OF FAUQUIER

WHEREAS, the Virginia Outdoors Foundation (VOF) has requested that Fauquier County supply VOF with digital maps of county-wide parcels of record, county-wide VOF easements and county-wide VOF-owned properties; and

WHEREAS, the County is agreeable to copying the digital maps, at no cost to VOF, and to permitting VOF to use said digital maps, provided VOF does not reformat, copy, or distribute the digital maps, and otherwise complies with the terms of the GIS Agreement between VOF and the County of Fauquier; and

WHEREAS, VOF has agreed to update and maintain the VOF easements and VOF-owned properties at no cost to the County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the County Administrator be, and is hereby, authorized to sign the GIS Agreement between the Virginia Outdoors Foundation and the County of Fauquier.

A Resolution to Approve and Authorize Execution of an Addendum to the Regional Jail Agreement

RESOLUTION

A RESOLUTION TO APPROVE AND AUTHORIZE EXECUTION OF AN ADDENDUM TO THE REGIONAL JAIL AGREEMENT

WHEREAS, Fauquier County is a participant in a regional jail located in Winchester, Virginia, known as the Clarke-Fauquier-Frederick-Winchester Regional Jail ("CFFW Regional Jail"); and

WHEREAS, in a meeting assembled 6 October 1998, the Fauquier County Board of Supervisors approved and authorized execution of a Regional Jail Agreement between the County of Fauquier, the County of Clarke, the County of Frederick and the City of Winchester, which said Regional Jail Agreement is dated 1 July 1998; and

WHEREAS, the parties to the Regional Jail Agreement desire to amend said Agreement by deleting Paragraph 9 therein, entitled "Rejection/Return of Fauquier Prisoners"; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the Addendum to the Regional Jail Agreement, deleting Paragraph 9 as contained in the Regional Jail Agreement dated 1 July 1998, be, and is hereby, approved; and, be it

RESOLVED FURTHER, That the Chairman be, and is hereby, authorized to execute the Addendum to the Regional Jail Agreement with the Counties of Clarke and Frederick and the City of Winchester.

A RESOLUTION AUTHORIZING IMPLEMENTATION OF A COUNTY ADMINISTRATION/COUNTY ATTORNEY SALARY MARKET STUDY

Mr. Graham moved to postpone, until September 16, 2002, a decision on a resolution authorizing implementation of a County Administration and County Attorney salary market study, and to refer the matter to the Finance Committee for recommendation. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

A RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE A VISITOR CENTER AGREEMENT WITH THE TOWN OF WARRENTON AND THE FAUQUIER COUNTY CHAMBER OF COMMERCE

Mr. Winkelmann moved to postpone a decision on a resolution authorizing the Chairman to execute a Visitor Center Agreement with the Town of Warrenton and the Fauquier County Chamber of Commerce until September 16, 2002, and to refer the matter to the Town/County Liaison Committee for concurrence of a text amendment to the agreement proposed by Ms. McCamy. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

A RESOLUTION TO IMPLEMENT THE FY 2003 EMERGENCY SERVICES STAFFING PLAN

Mr. Graham moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO IMPLEMENT THE FY 2003 EMERGENCY SERVICES STAFFING PLAN

WHEREAS, the Fauquier County Board of Supervisors, in adopting the FY 2002-2003 budget, intended to expand coverage provided by the Office of Emergency Services; and

WHEREAS, the Public Safety Committee has worked with the Fire and Rescue Association and County staff to devise a plan to meet multiple objectives in expanding service coverage; and

WHEREAS, it is desirable to provide a work schedule competitive with other jurisdictions, to retain and attract personnel, and to extend coverage to twelve hours during the regular work week; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That a plan to provide a work schedule consistent with the Fair Labor Standards Act, 7K exemption, be, and is hereby, approved establishing an average work week of eighty-four (84) hours in a two week period; and, be it

RESOLVED FURTHER, That the Office of Emergency Services be named the Department of Fire and Emergency Services; and, be it

RESOLVED FINALLY, That the Chairman of the Fauquier County Board of Supervisors be, and is hereby, authorized to execute the revised Fauquier County Fire and Rescue Services Agreement, subject to review and approval of the County Attorney.

A RESOLUTION TO REVISE THE DEPARTMENT OF COMMUNITY DEVELOPMENT FEE SCHEDULE

On July 15, 2002, a public hearing was held for the Board to receive citizens' comments regarding proposed amendments to the Technical Review Fee Schedule associated with Floodplain Study, Infrastructure Improvements, Wetland Mitigation Banking Plans, Bond Estimate Review, Street Resolutions/Acceptance, Land Disturbing/Erosion & Sediment Control Plans, and Bond Reductions/Releases/Extensions. Mr. Graham moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

RESOLUTION

A RESOLUTION TO REVISE THE DEPARTMENT OF COMMUNITY DEVELOPMENT FEE SCHEDULE

WHEREAS, the Department of Community Development has several areas of engineering review for specific land development applications which had no assigned fee; and

WHEREAS, the Board of Supervisors wants County application fees to be assessed for required land development applications and associated documents in order to keep pace with the personnel, processing and inspection requirements due to application and project complexities, and still maintain effective, quality and responsible service; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the Department of Community Development's fee schedule be revised as follows:

Zoning, Planning and Engineering <i>Technical Review & Permits:</i>	Current	Proposed Change
<ul style="list-style-type: none"> Floodplain 	None	\$500 – Flat Fee Plus \$200/sq. mile of drainage area Plus \$300 per each bridge/culvert/crossing Plus \$500 per floodplain encroachment
<ul style="list-style-type: none"> Infrastructure Improvements 	None	\$500 – Flat Fee Plus \$50 – per disturbed acre
<ul style="list-style-type: none"> Wetland Mitigation Banking Plans 	None	\$500 – Flat Fee Plus \$500/ square mile of drainage area Plus \$50 per disturbed acre
<ul style="list-style-type: none"> Initial Bond Estimate Review/Establish Improvements 	None	\$600 – Flat Fee for bonds > than \$250,000 \$300 – Flat Fee for bonds < than \$250,000
<ul style="list-style-type: none"> Bond Reduction, Release, or Extension Request 	\$100 per request	\$300 – Flat Fee per request
<ul style="list-style-type: none"> Street Resolution/VDOT Acceptance into State System 	None	\$250 – Flat Fee for each street

- Supplemental Land Disturbing Requests, Erosion & Sediment Control Plan for commercial, industrial and residential subdivisions None \$750 – Flat Fee, plus \$50/disturbed acre for commercial, industrial and residential subdivisions; does not apply to single family dwelling

Division Ordinance

- ~~Subdivision Plat~~
- ~~Amendment, Easement Plat~~ \$100
- Subdivision Plat Amendment \$100 \$150
- Easement Plat \$100 \$100 (No Change)

A RESOLUTION TO AWARD A CONTRACT FOR THE CONSTRUCTION OF INFRASTRUCTURE AT THE BOTHA SUBDIVISION

Ms. McCamy moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

RESOLUTION

A RESOLUTION TO AWARD A CONTRACT FOR THE CONSTRUCTION OF INFRASTRUCTURE AT THE BOTHA SUBDIVISION

WHEREAS, Fauquier County has supported the provision of affordable housing opportunities; and

WHEREAS, Fauquier County has received funding from the Virginia Department of Community Development for the construction of infrastructure in the Botha subdivision; and

WHEREAS, in September 1995, the Fauquier County Board of Supervisors conveyed property in Botha to Fauquier Housing Corporation and Fauquier Habitat for Humanity for the development of affordable housing; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the Chairman of the Fauquier County Board of Supervisors be, and is hereby, authorized to execute a contract with Rappawan, Inc. in the amount of \$442,884 for the construction of the Botha infrastructure.

A RESOLUTION TO AWARD CONTRACT FOR AIRPORT IMPROVEMENTS

Ms. McCamy moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO AWARD A CONTRACT FOR AIRPORT IMPROVEMENTS

WHEREAS, Fauquier County has been working in partnership with the Virginia Department of Aviation and the Federal Aviation Administration to improve the Warrenton-Fauquier Airport; and

WHEREAS, a master plan has been prepared and land acquired to extend the runway, the parallel taxi-way, and related facilities at the Airport; and

WHEREAS, the Federal Government plans to provide 90% of the funding and the Virginia Department of Aviation plans to provide 8% of the funding to implement this improvement plan; and

WHEREAS, plans and specifications have been prepared that provide for a two-phased improvement plan; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the Board of Supervisors does hereby authorize the award of a contract in the amount of \$3,283,880 to General Excavation contingent upon the review and approval of Federal and State agencies and approval of funds for the matching shares of this project; and, be it

RESOLVED FURTHER, That the Chairman of the Fauquier County Board of Supervisors be, and is hereby, authorized to execute the contract upon the concurrence of Federal and State agencies.

A RESOLUTION TO AWARD A CONTRACT FOR THE LEASE AND OPERATION OF A FIXED BASED OPERATOR CONCESSION AT THE WARRENTON-FAUQUIER AIRPORT

Ms. McCamy moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO AUTHORIZE A CONTRACT FOR THE LEASE AND OPERATION OF A FIXED BASE OPERATOR CONCESSION AT THE WARRENTON- FAUQUIER AIRPORT

WHEREAS, the Warrenton-Fauquier Airport Committee reviews and monitors operations at the Warrenton-Fauquier Airport; and

WHEREAS, Fauquier County, the Virginia Department of Aviation, and the Federal Aviation Administration are committing significant public resources to improve facilities at the Airport; and

WHEREAS, the Warrenton-Fauquier Airport Committee is prepared to manage and maintain public facilities at the Airport, utilizing revenue generated by airport operations; and

WHEREAS, the Warrenton-Fauquier Airport Committee wishes to maintain and promote partnerships with private businesses to provide services in support of airport operations; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the Chairman of the Fauquier County Board of Supervisors be, and is hereby, authorized to execute a Contract for Lease and Operation of Fixed Base Operator Concession with Tracy Corporation and Midland Development, Inc.

A RESOLUTION TO AUTHORIZE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE WARRENTON TRAINING CENTER

Mr. Graham moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION TO AUTHORIZE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE WARRENTON TRAINING CENTER

WHEREAS, the Board of Supervisors requires space for its Public Safety Radio System at Station B of the Warrenton Training Center, commonly referred to as View Tree; and

WHEREAS, the Training Center has determined that the existing dual tower cannot support the County's proposed radio equipment and must be replaced; and

WHEREAS, the Training Center has agreed to permit the County to replace the existing tower with a new tower, in accordance with the Memorandum of Understanding with the

Warrenton Training Center, and to use the tower in accordance with the terms set forth in the agreement; and

WHEREAS, the Board has determined that the conditions contained in the Memorandum of Understanding are acceptable; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the County Administrator be, and is hereby, authorized to execute the Memorandum of Understanding with the Warrenton Training Center.

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ACQUIRE INTERESTS IN REAL PROPERTY NECESSARY TO CONSTRUCT AND INSTALL PUBLIC SAFETY RADIO SYSTEM EQUIPMENT, ANTENNAS AND EQUIPMENT ENCLOSURES

Mr. Graham moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ACQUIRE INTERESTS IN REAL PROPERTY NECESSARY TO CONSTRUCT AND INSTALL PUBLIC SAFETY RADIO SYSTEM EQUIPMENT, ANTENNAS, AND EQUIPMENT ENCLOSURES

WHEREAS, the Fauquier County Board of Supervisors has entered into a contract with Motorola, Inc. for the construction and installation of a Public Safety Radio System and other communications equipment; and

WHEREAS, Motorola identified five tower sites for the placement of radio equipment transmitters and equipment enclosures, and Fauquier County has been unable to reach agreement regarding availability of space on two of the proposed sites; and

WHEREAS, one of the proposed sites is owned in fee simple by American Tower, located on Blue Mountain, and another proposed site is owned by David M. and Robert A. Graves and leased to American Tower pursuant to a 45-year lease dated December 1, 2000. The properties are more fully described as follows:

NAME	PIN	ACREAGE
David M. and Robert A. Graves	A portion of 7827-57-3632	6000 s.f. and access easement
American Tower Corporation	A portion of 6013-71-8278	3.62 acres; and

WHEREAS, pursuant to §15.2-1800 et seq. and §15.2-1900 et seq. of the Code of Virginia, 1950, as amended, counties are authorized to acquire property or interests in property

to construct, maintain, and operate a Public Safety Radio System and to enter onto the property before the conclusion of condemnation proceedings; and

WHEREAS, the Board of Supervisors does, by the adoption of this resolution, determine that public use and necessity require the acquisition of the properties for the construction and operation of the Public Safety Radio System and the entry onto the properties before the conclusion of condemnation proceedings; and

WHEREAS, the Board of Supervisors does, by the adoption of this resolution, determine that it is in the public interest to acquire the properties either through the payment of the fair market value as determined by appraisal, or, if such value is not acceptable to the landowners and any other party in interest, by the power of eminent domain, and to enter onto the property prior to the conclusion of condemnation proceedings; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the County Administrator be, and is hereby, authorized and directed to make an offer to purchase the properties or such interests in the properties as is deemed appropriate by the County Administrator, in fee simple, easement or leasehold, including, but not limited to, the right to extend the telecommunications towers located on the subject properties, at their fair market value as determined by a competent appraisal for the purposes of acquiring the properties; and, be it

RESOLVED FURTHER, That in the event that it is determined by the County Administrator that the fair market value offer is unacceptable to the landowners or other parties in interest, the County Administrator and County Attorney be, and are hereby, authorized to institute, on behalf of Fauquier County, condemnation proceedings to acquire the fee simple, easement or leasehold interest in the properties for the purpose of installing, maintaining, repairing and replacing the proposed radio equipment, related communications equipment, antennas and equipment enclosures and access to any necessary utility; and, be it

RESOLVED FINALLY, That the County Administrator be, and is hereby, authorized to execute all purchase and settlement documents or eminent domain pleadings as are necessary to enter onto the properties prior to the conclusion of condemnation proceedings and to acquire title to or interests in the properties and is hereby further authorized to expend such funds as are necessary to acquire the foresaid.

RECONSIDERATION OF SPECIAL EXCEPTION (#SE02-L-25) REQUEST FOR BERTA F. LUNAU (BIRITOS), OWNER, AND KENNETH AND CATHERINE DODSON, APPLICANTS

On July 15, 2002, the Board of Supervisors approved Special Exception #SE02-L-25, Berta F. Lunau (Biritos), Owner, and Kenneth and Catherine Dodson, Applicants, to waive the public street requirement and allow the use of an existing private street, currently serving two homes, to provide access to an additional single-family residence. The applicant proposes the use of an existing private street, currently serving two homes, to access a single-family residence to be built on a ±4.3 acre lot located on the east side of Lees Mill Road (Route 651), just north of its intersection with Freemans Ford Road in the Lee Magisterial District. After discussion with the applicant, Supervisor McCamy would like the Board of Supervisors to reconsider its decision on this request and remove the conditions that relate to the design and construction of the private street. The existing private street will not meet the conditions as approved in July. Ms. McCamy moved to reconsider the vote for Special Exception Request #SE02-L-25 taken during the July

15, 2002, Board of Supervisors regular meeting, and further, to adopt the following amended resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

RESOLUTION

A RESOLUTION TO RECONSIDER AND APPROVE SPECIAL EXCEPTION #SE02-L-25 KENNETH AND CATHERINE DODSON, APPLICANTS PIN #6869-48-2575-000

WHEREAS, Kenneth and Catherine Dodson, applicants, have filed an application to obtain approval under Section 5-2900 of the Zoning Ordinance to allow a waiver of the public street requirement to serve a proposed residence to be built on a \pm 4.3 acre parcel on the east side of Lees Mill Road, just north of its intersection with Freemans Ford Road in Lee Magisterial District; and

WHEREAS, the Planning Commission held a public hearing on this application on May 30, 2002 and has forwarded the application to the Board of Supervisors with recommendation of approval; and

WHEREAS, on July 15, 2002, the Board of Supervisors considered the written and orally presented information of the applicants and conducted a public hearing for this application; and

WHEREAS, the Board of Supervisors has reconsidered its original action and determined that in light of new information that the conditions previously approved by the Board of Supervisors on July 15, 2002 should be amended to allow the use of the existing road in its current condition; and

WHEREAS, the Board of Supervisors has determined that the application is in substantial conformance with the Comprehensive Plan and the applicable provisions of the Zoning Ordinance; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the application is in substantial accordance with the Fauquier County Comprehensive Plan and is hereby approved, subject to the following conditions:

1. The special exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This special exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This special exception is subject to the provisions of the Fauquier County Subdivision Ordinance, as may be determined by the Fauquier County Department of Community Development. Any plat submitted pursuant to this special exception shall be in

conformance with the preliminary subdivision plat dated May 3, 2002, and these conditions.

4. The existing private street may be used to access the proposed lot with no additional design or construction improvements required.
- ~~4. The private street shall be constructed to a minimum width of 12 feet with grass shoulders. The right of way shall be no less than 50 feet and the access to Route 651 shall be as indicated on the preliminary subdivision plat and approved by the Virginia Department of Transportation.~~
- ~~5. Appropriately sized ditches along the private street shall be constructed.~~
5. The private street shall serve no more than the three (3) lots described in the applicant's Statement of Justification. These include the proposed lot and two (2) existing lots currently served by the private street.
6. The applicant shall obtain the proper land disturbing permits from the County if the area to be disturbed is in excess of 10,000 square feet.
7. Prior to subdividing the property, a road maintenance agreement applicable to all users of the private street shall be executed. The subdivision plat shall include the private street notation referenced in Section 7-306 of the Zoning Ordinance.
- ~~8. The slope of the private road shall not exceed 12%.~~

APPOINTMENTS

There were no appointments offered.

SUPERVISORS TIME

- Ms. McCamy requested that future Consent Agenda items have no more than one resolution attached to the agenda request, in order to avoid confusion about which resolution is being adopted. Ms. McCamy also noted that the train depot building at Bealeton Station was recently moved to its new location for incorporation into the Bealeton Branch public library complex. Ms. McCamy further stated that she received three calls from constituents requesting information on various public assistance programs and, therefore, she suggested adding a referral list of public assistance agencies to the County web page. Ms. McCamy requested that, due to the recent fatal crash on Courtney's Corner Road in Sumerduck, the Transportation Committee ask the Virginia Department of Transportation to impose a reduced speed limit to 45 MPH for all secondary roads, countywide, and post the appropriate signage.
- Mr. Weeks stated he had received a call from a representative of the Grapewood Homeowner's Association, located adjacent to Vint Hill and Route 602, expressing questions and concerns about West Nile virus and, therefore, he suggested that the Agriculture Committee provide follow-up action recommendations to the Board of Supervisors. Mr. Weeks also expressed concern about tractor-trailer traffic along Routes

710 and 713 and, therefore, asked the Transportation Committee to speak with Virginia Department of Transportation officials to seek feedback on the possibility of denying through tractor-trailer truck traffic on secondary roads countywide.

- Mr. Atherton stated he would take the foregoing requests from both Ms. McCamy and Mr. Weeks to the Transportation Committee, and would ask the Virginia Department of Transportation District Engineers for advice on fast-track study requirements, however, he suspected that a wholesale change countywide would require legislation from Richmond.
- Mr. Winkelmann stated that the Board recently returned from the Virginia Association of Counties (VACo) Local Government Officials Conference in Charlottesville, and that the VACo Board is attempting to gain endorsement of a \$1 billion tax increase, however, the VACo Finance Committee refused to endorse, and will continue to oppose, such a tax increase. Mr. Winkelmann also stated he will soon introduce an Ordinance to increase the maximum fine to \$2,500 for violations of the noise ordinance resulting from “Jake braking” by tractor-trailers.
- Mr. Graham announced that the Sheriff would soon implement a specialized traffic enforcement unit specifically designed for traffic control and speed limit enforcement, and admonished citizens to slow down and use common sense when driving. Mr. Graham also stated he attended a recent dinner to recognize new teachers, and concluded that the increase in funding for teacher salaries is encouraging experienced and qualified teachers to return to Fauquier County from other jurisdictions.

ANNOUNCEMENTS

Mr. Lee had no announcements.

CONSIDER A LEASE WITH THE FAUQUIER FREE CLINIC FOR OFFICE SPACE AT THE FAUQUIER COUNTY OFFICE COMPLEX AT 320 HOSPITAL DRIVE

A public hearing was held to consider a lease with the Fauquier Free Clinic for up to 500 square feet of office space on the first or second floor of the Fauquier County office complex located at 320 Hospital Drive. Mr. Lee gave an overview of the history of the Fauquier Free Clinic. Dr. Trice Gravatte, Medical Director for the Fauquier Free Clinic, described the growing services offered by the clinic, explained the existing need for expansion, and requested the Board to give the clinic favorable consideration for office space. No one else spoke. The public hearing was closed. Ms. McCamy moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was 4 to 1 as follows:

<i>Ayes:</i>	<i>Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Harry Atherton; Mr. Larry L. Weeks</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>Mr. Joe Winkelmann</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION TO AUTHORIZE THE LEASE OF SPACE TO THE FAUQUIER FREE CLINIC AT THE FAUQUIER COUNTY OFFICE BUILDING AT 320 HOSPITAL DRIVE

WHEREAS, the Fauquier Free Clinic provides important health services to low income citizens at the Health Department building; and

WHEREAS, the services of this agency, primarily provided by volunteers, have increased to the extent that additional space is required; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the County Administrator be, and is hereby, authorized to execute a lease with the Fauquier Free Clinic for office space on the ground floor of the Fauquier County office building located at 320 Hospital Hill.

CONSIDER AMENDMENT TO THE FY 2002 BUDGET IN THE AMOUNT OF \$1,137,440 AND THE FY 2003 BUDGET IN THE AMOUNT OF \$2,328,039

A public hearing was held to consider an amendment to the FY 2002 budget in the amount of \$1,137,440 and an amendment to the FY 2003 budget in the amount of \$2,328,039. Bryan Tippie, Budget Director, gave an overview of the various budget related issues that have been identified which require a public hearing, including, but not limited to, emergency radio system, E-Gov Phase 3, modular classrooms at two high schools, repair/upgrade canopies at five elementary schools, digital imaging for Clerk of Circuit Court, and renovations of 320 Hospital Hill, Warren Green Building and County Courthouse. No one spoke. The public hearing was closed. Mr. Winkelmann moved to adopt the following resolution. Mr. Atherton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO AMEND THE FY 2002 ADOPTED BUDGET IN THE AMOUNT OF \$1,137,440 AND THE FY 2003 ADOPTED BUDGET IN THE AMOUNT OF \$2,328,039

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2002 Budget on March 19, 2001 and FY 2003 Budget on March 25, 2002; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing or decreasing the total budget; and

WHEREAS, the Finance Committee has recommended FY 2002 appropriation of \$656,789 and transfer of \$480,651, and FY 2003 appropriation of \$2,323,775 and transfer of \$4,264 for the purposes set forth below; and

WHEREAS, the Code of Virginia requires local jurisdictions to hold a public hearing for any amendment to the adopted budget exceeding the lesser of \$500,000 or 1% of the total budget; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the Fauquier County FY 2002 Budget in the amount of \$1,137,440 and FY 2003 Budget in the amount of \$2,328,039 be amended as follows:

Source	FROM Code	Amount	Department	TO Code	Amount
FY 2002					
Federal Funds	3-100-331000-0040	\$1,237	Sheriff's Office	4-100-031230-8201	\$1,237
Federal Funds	3-100-331000-0040	\$2,764	Sheriff's Office	4-100-031230-1201	\$2,764
Bond Proceeds	3-302-189000-0001	\$511,116	Capital Improvements Plan	4-302-094301-3166	\$511,116
Federal Funds	3-100-033700-0012	\$4,588	Library	4-302-094841-8215	\$4,588
State Funds	3-220-231000-0001	\$5,132	Joint Communications	4-220-031411-5230	\$5,132
Contingency Reserve	4-100-091400-9618	\$30,000	County Administration	4-302-094142-8212	\$30,000
Contingency Reserve	4-100-091400-9618	\$101,162	Information Resources	4-302-094107-8207	\$101,162
Contingency Reserve	4-100-091400-9618	\$790	Fauquier Housing Corp. Reimbursement	4-100-081600-5674	\$790
School Contingency Reserve	4-205-061000-9999-951-000-000	\$54,000	School Division	4-302-085601-8215	\$54,000
School Construction Reserve	4-302-091400-0205	\$154,818	School Division	4-302-085601-8215	\$154,818
School Construction Reserve	4-302-091400-0205	\$206,833	School Division	4-302-094652-8215	\$206,833
Information Resources Funds	4-100-012511-1101	\$42,000	Information Resources – CIP	4-302-094107-8212	\$65,000
	4-100-012511-1302	\$5,000			
	4-100-012511-2100	\$5,000			
	4-100-012511-2210	\$6,000			
	4-100-012511-3310	\$7,000			

FY 2003

State Funds	3-100-244010-0030	\$243,937	Clerk of Circuit Court	4-100-021610-3161	\$236,410
				4-100-021610-1301	\$3,584
				4-100-021610-2100	\$274
				4-100-021610-2720	\$4
				4-100-021610-8201	\$3,665
State Funds	3-100-024100-0050	\$18,375	Social Services	4-100-053110-1302	\$18,375
P&R Fees	3-150-511200-0013	\$4,000	Parks and Recreation	4-150-511200-1302	\$22,245
	3-150-511200-0019	\$180		4-150-511200-2100	\$1,702
	3-150-511200-0020	\$300		4-150-511200-3115	\$80
	3-150-511200-0040	\$1,250		4-150-511200-3160	\$800
	3-150-511200-0051	\$24,000		4-150-511200-3310	\$2,000
	3-150-511200-0053	\$1,000		4-150-511200-5230	\$250
	3-150-511200-0056	\$600		4-150-511200-6013	\$100
Contingency Reserve	3-150-415000-0100	\$3,933		4-150-511200-6015	\$2,200
				4-150-511200-6046	\$180
				4-150-511200-6048	\$1,200
				4-150-511200-6049	\$50
				4-150-900000-8201	\$4,456
Fund Balance – Carryover	4-100-419000-0010	\$11,200	Comprehensive Services Act	4-100-053500-8212	\$11,200
Contingency Reserve	4-100-091400-9618	\$15,000	General Assessment	4-100-012320-1302	\$15,000
Real Estate	3-100-111001-0001	\$2,000,000	CIP – County Buildings Renovations	4-302-94150-8215	\$175,000
				4-302-94402-8215	\$325,000
				4-302-94415-8215	\$1,500,000
Joint Communications Funds	4-220-031410-8203	\$4,264	Joint Communications – CIP	4-302-094330-8201	\$4,264
TOTAL		\$3,465,479		TOTAL	\$3,465,479

CONSIDER AMENDMENT TO THE FY 2003 BUDGET IN THE AMOUNT OF \$1,139,000 FOR RENOVATION OF THE FAUQUIER COUNTY DETENTION CENTER

A public hearing was held to consider an amendment to the FY 2003 budget in the amount of \$1,139,000 for renovation of the Fauquier County Detention Center. Bryan Tippie, Budget Director, gave an overview of the proposed amendment. Cecil Simpson, Jr., spoke in favor of funding for the jail renovations, and stated he supports future construction of a new jail. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

RESOLUTION

**A RESOLUTION TO AMEND THE FY 2003 BUDGET IN THE AMOUNT OF \$1,139,000
FOR RENOVATIONS OF THE FAUQUIER
COUNTY DETENTION CENTER**

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2003 Budget on March 25, 2002; and

WHEREAS, during the course of a fiscal year certain events occur which necessitate changing the budget plan by increasing or decreasing the total budget; and

WHEREAS, the Sheriff's Office has identified the Fauquier County Detention Center administrative areas as seriously in need of repair and has requested \$1,139,000 in increased appropriations for renovation; and

WHEREAS, the Code of Virginia requires local jurisdictions to hold a public hearing for any amendments to the adopted budget exceeding the lesser of \$500,000 or 1% of the total budget; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 19th day of August 2002, That the Fauquier County FY 2003 Budget in the amount of \$1,139,000 for renovation of the Fauquier County Detention Center be amended as follows:

<u>Source</u>	<u>FROM Code</u>	<u>Amount</u>	<u>Department</u>	<u>TO Code</u>	<u>Amount</u>
Funds	3-100-419000-0010	\$1,139,000	Sheriff's Office (CIP)	4-302-94320-8215	\$1,139,000

CONSIDER A REVISION OF FEES AT THE LANDFILL FOR ACCEPTING SPECIAL ITEMS

A public hearing was held to consider a revision of fees at the County landfill for accepting special items. Mr. Lee stated that the landfill is experiencing increasing costs and volume in processing special items, such as tree stumps, tires and freon and it is recommended that these fees be revised to reflect the special processing costs associated with these items. No one spoke. The public hearing was closed. Mr. Graham moved to postpone a decision on the matter until the next regularly scheduled Board meeting on September 16, 2002. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

CONSIDER A PROPOSED ORDINANCE AMENDING SECTION 8-37 OF THE CODE OF FAUQUIER COUNTY RELATING TO FEES IN CRIMINAL AND TRAFFIC CASES

A public hearing was held to consider a proposed Ordinance amending Section 8-37 of the Code of Fauquier County relating to fees in criminal and traffic cases. Mr. Lee provided an overview of the proposed Ordinance amendment and explained that a newly enacted provision in the Code of Virginia authorizes the County to add a \$25.00 inmate processing fee to the court costs of any individual who is admitted to jail following a conviction. No one spoke. The public hearing was closed. Mr. Graham moved to postpone a decision on the matter until the next regularly scheduled Board meeting on September 16, 2002. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

ZONING ORDINANCE TEXT AMENDMENT – OUTDOOR LIGHTING

A public hearing was held to consider a Zoning Ordinance text amendment to Article 9-1000, Outdoor Lighting, Sections 9-1001 and 9-1006 of the Fauquier County Zoning Ordinance regarding outdoor recreation lighting. Rick Carr, Director of Community Development, gave a summary of the proposed Ordinance text amendment. No one spoke. The public hearing was closed. Mr. Atherton moved to postpone a decision on the matter until the next regularly scheduled Board meeting on September 16, 2002. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

ZONING ORDINANCE TEXT AMENDMENT – FRONT YARD SETBACK

A public hearing was held to consider a Zoning Ordinance text amendment to Section 3-400 12, to increase the required front yard (setback) requirements on roads classified as arterials and freeways in the Comprehensive Plan (and Route 245), if they are zoned as residential and lie within service district boundaries, or if parcels are in a rural zoning district. Rick Carr, Director of Community Development, gave a summary of the proposed Ordinance text amendment. No one spoke. The public hearing was closed. Mr. Weeks moved to postpone a decision on the matter until the next regularly scheduled Board meeting on September 16, 2002. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

ZONING ORDINANCE TEXT AMENDMENT – MOTOR VEHICLE RELATED USES

A public hearing was held to consider a Zoning Ordinance text amendment to Section 3-314.10, Motor Vehicle Related Uses, to permit farm equipment sales, rental and service establishments in the Rural Residential-2 (RR-2) zoning district, with special permit and site plan approval. Rick Carr, Director of Community Development, gave a summary of the proposed Ordinance text amendment. No one spoke. The public hearing was closed. Mr. Graham moved to postpone a decision on the matter until the next regularly scheduled Board meeting on September 16, 2002. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

ZONING ORDINANCE TEXT AMENDMENT – ADDITIONAL STANDARDS FOR AUTO REPAIR GARAGES

A public hearing was held to consider a Zoning Ordinance text amendment to Section 5-205.5, Additional Standards for Auto Repair Garages, to allow a home auto repair garage to have a maximum of six (6) vehicles at any one time. Rick Carr, Director of Community Development, gave a summary of the proposed Ordinance text amendment. No one spoke. The

public hearing was closed. Mr. Winkelmann moved to postpone a decision on the matter until the next regularly scheduled Board meeting on September 16, 2002. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

CONSIDER AMENDMENT TO CHAPTER 11 OF THE CODE OF FAUQUIER COUNTY TO ADD ARTICLE II, ENTITLED STORMWATER MANAGEMENT

A public hearing was held to consider an amendment to the Fauquier County Code to add Article II to Chapter 11, related to Stormwater Management, by establishing minimum requirements and controls to protect properties, safeguard the general health, safety, and welfare of the public residing in watersheds within the County, and protect aquatic resources. Rick Carr, Director of Community Development, gave a summary of the code amendment. No one spoke. The public hearing was closed. Mr. Atherton moved to postpone a decision on the matter until the next regularly scheduled Board meeting on September 16, 2002. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

SUBDIVISION ORDINANCE TEXT AMENDMENT – REFLECTING THE ESTABLISHMENT OF A STORMWATER MANAGEMENT ORDINANCE

A public hearing was held to consider an amendment to Subdivision Ordinance Section 4-16, Bonding Requirements, Section 7-10, Grades, Section 8-2, Ditch Cross Section, Section 9-5, Preliminary Plan Requirements, and Section 10-5, Additional Submission Requirements. Rick Carr, Director of Community Development, stated that the amendment would reflect the establishment of a Stormwater Management Ordinance. No one spoke. The public hearing was closed. Mr. Atherton moved to postpone a decision on the matter until the next regularly scheduled Board meeting on September 16, 2002. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

SUBDIVISION ORDINANCE TEXT AMENDMENT – APPLICATION REVIEW

A public hearing was held to consider an amendment to Subdivision Ordinance Section 9-4, Application Review. Rick Carr, Director of Community Development, stated the amendment would increase the allotted time for submission to correct deficiencies before the Planning Commission meeting, from 23 days to 40 days. No one spoke. The public hearing was closed. Mr. Winkelmann moved to adopt the following Ordinance. Mr. Atherton seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

9-4 Application Review

The agent shall have seven (7) days to review the application, plans and support materials in order to determine that the submission and content requirements have been met. Once the application is reviewed, written notification of the acceptance or rejection of the submission shall be sent to the applicant by certified mail not later than ten (10) days after the date of submission. If accepted, the submission shall be officially filed and shall be placed on the Planning Commission agenda. If rejected, the submission package will be returned to the subdivider with a list of deficiencies. Upon receipt of the deficiencies, the applicant may submit a revised preliminary plat addressing the deficiencies no later than ~~twenty-three (23) days~~ forty (40) days prior to the next scheduled Planning Commission meeting. Upon review and acceptance of the corrected submission, the application shall be considered officially filed and placed on the agenda. If rejected, the submission package will be returned as stated above. ~~No submission shall be considered officially filed any earlier than twenty-three (23) days before the Planning Commission meeting.~~

Written notice of the filing of a preliminary plat and the meeting date shall be sent to adjacent property owners and the applicant no later than seven (7) days after the submission is officially filed. In no case shall notification be sent less than fourteen (14) days before the Planning Commission meeting. Notice sent to the last known address of such owner(s) as shown on the current real estate tax assessment book shall be deemed adequate compliance with the requirements. The provision of notice shall be the responsibility of the Office of Community Development and Zoning. A list of adjacent property owners shall be provided by the applicant in accordance with Section 9-5.17(c).

Failure to notify the applicant within the specified time shall result in the application being considered officially filed. Failure to notify the adjacent property owners within the specified time period shall result in an automatic tabling and re-notification of the filing.

SPECIAL EXCEPTION (#SE02-L-30) – JAMES R. AND BETTY L. MILLS, OWNERS, AND COMMUNITY WIRELESS STRUCTURES, APPLICANT

A public hearing was held to consider a request for special exception approval for James R. Mills and Betty L. Mills, owners, and Community Wireless Structures, applicant, to allow for construction of a telecommunications structure for co-location of wireless service providers. The

property contains 47.41 acres, is zoned Rural Agriculture (RA), and is located on the northeast side of Lucky Hill Road (Route 655), in Lee Magisterial District, PIN #6888-38-9459-000. Rick Carr, Director of Community, gave an overview of the special exception application. Tam Murray, representing the applicant, described the proposed site, explained the need for coverage, and asked the Board to give favorable consideration to the special exception application. Dan Ryan, representing Voice Stream Wireless; Karen Albrecht, Lee District; Jim Mills, owner; Jason Dell, Engineer for Voice Steam Wireless; and Arnie McGraw, Sprint representative, spoke in favor of the special exception application. No one else spoke. The public hearing was closed. Ms. McCamy moved to postpone a decision on the matter until the next regularly scheduled Board meeting on September 16, 2002. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Harry Atherton; Mr. Larry L. Weeks*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

REZONING REQUEST (#RZ02-L-07) – DONALD K. BEAVER, OWNER/APPLICANT

A public hearing was held to consider a request from Donald K. Beaver, owner/applicant, to rezone 1.618 acres in the Bealeton Service District, from RA (Agricultural) to C-2 (Commercial Highway). The property is located within the Bealeton Service District, sewer area, at the intersection of Marsh Road (Route 17) and Catlett Road (Route 28), in Lee Magisterial District, PIN #6899-16-9372-000. Rick Carr, Director of Community Development, gave an overview of the rezoning request. Ben Jones, representing the owner/applicant, requested favorable consideration by the Board of the rezoning request. No one else spoke. The public hearing was closed. Ms. McCamy moved adopt the following Ordinance. Mr. Winkelmann seconded, and the vote for the motion was 4 to 1 as follows:

Ayes: *Mr. Raymond Graham; Ms. Sharon McCamy; Mr. Joe Winkelmann; Mr. Larry L. Weeks*
Nays: *Mr. Harry Atherton*
Absent During Vote: *None*
Abstention: *None*

ORDINANCE

AN ORDINANCE TO APPROVE REZONING REQUEST #RZ02-L-07 DONALD K. BEAVER – BEAVER PROPERTY PARCEL I.D. #6899-16-9372-000 LEE MAGISTERIAL DISTRICT

WHEREAS, Donald K. Beaver, the owner, has initiated a request to rezone a 1.618-acre parcel (PIN 6899-16-9372-000) from Rural Agricultural (RA) to Commercial-Highway (C-2); and

WHEREAS, the applicant has filed an application to amend the Fauquier County Zoning Map in accordance with the provisions of Article 13-202 of the Fauquier County Zoning Ordinance; and

WHEREAS, the proposed rezoning is in conformance with the Fauquier County Comprehensive Plan; and

WHEREAS, on April 25, 2002, the Fauquier County Planning Commission held a public hearing on the rezoning request of Donald K. Beaver; and

WHEREAS, at its meeting on May 30, 2002, the Fauquier County Planning Commission approved a motion recommending denial of the requested rezoning; and

WHEREAS, on August 19, 2002, the Board of Supervisors held a public hearing on this rezoning request; and

WHEREAS, by the adoption of this Ordinance, the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice is satisfied by this amendment to the Fauquier County Zoning Map; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 19th day of August 2002, That Rezoning Request #RZ02-L-07 to change the zoning designation of a 1.618 acre parcel at the northwest quadrant of the intersection of Routes 17 and 28, identified as PIN 6899-16-9372-000, Lee Magisterial District, from Rural Agricultural (RA) to Commercial-Highway (C-2) be, and is hereby, approved subject to the boundary survey plat dated February 12, 2002.

With no further business, the meeting was adjourned.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on August 19, 2002.

G. Robert Lee
Clerk